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ORIGINAL
FILE

AUG 16 2006

RICHARD W. MURPHY
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

SEALED BY ORDER
OF THE COURT

7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA
9 OAKLAND DIVISION

SBA

11 UNITED STATES OF AMERICA,

12 Plaintiff,

15 v.

19 RICHARD ANDERSON, aka Alex,
20 DARWIN MOBLEY,
21 JORGE ESTEBAN HALL ZUMBADO,
HOUSHANG POURMOHAMAD,
aka "Hoosh,"

22 Defendants.

No. CR06-00555

VIOLATIONS: 18 U.S.C. § 371 - Conspiracy
to Conduct Illegal Gambling Business;
18 U.S.C. §§ 1955, 2 - Conducting Illegal
Gambling Business; 18 U.S.C. § 1956(h) --
Conspiracy to Launder Funds Derived From
Illegal Gambling Business;
18 U.S.C. § 371 - Conspiracy to Use Facility
in Interstate and Foreign Commerce to Carry
on Unlawful Gambling Business; 18 U.S.C.
§ 1952 - Use of Facility in Interstate and
Foreign Commerce to Carry on and
and Facilitate the Carrying on of Unlawful
Gambling Business.

OAKLAND VENUE

24 INDICTMENT

25 The Grand Jury charges:

26 COUNT ONE: 18 U.S.C. § 371

27 1. Beginning on a date unknown, but no later than in or about September 2002
28 and continuing until June 2006, in the Northern District of California and elsewhere,

INDICTMENT

1 defendants

RICHARD ANDERSON, aka Alex,
2 DARWIN MOBLEY,
3 JORGE ESTEBAN HALL ZUMBADO,
HOUSHANG POURMOHAMAD, aka "Hoosh,"

4 and others, did knowingly conspire with David Lee Duckart to conduct, finance, manage,
5 and supervise an illegal gambling business, as defined by 18 U.S.C. § 1955(b), in
6 violation of 18 U.S.C. § 1955.

7 Manner and Means of Conspiracy

8 2. During the periods alleged herein, this illegal gambling business was
9 conducted substantially as follows:

10 (a) David Lee Duckart ("Duckart") acted as the bookmaker ("bookie"), using the
11 code name "Duck."

12 (b) Duckart received bets and wagers made by players/gamblers on his Internet
13 website, "bertheduck," or via a toll-free telephone number into a "call center" in Costa
14 Rica.

15 (c) Duckart employed "agents" who were responsible for one or more groups of
16 players, including collecting funds from them to pay Duckart on their gambling losses,
17 and communicating with persons at the call center in Costa Rica regarding players'
18 accounts. Agents shared a commission with Duckart based on a percentage of their
19 players' losses.

20 (d) Duckart employed "runners" who were responsible for communicating with
21 agents about money owed by or to their players, and collecting funds from agents,
22 generally on a weekly basis, and delivering these funds to Duckart.

23 (e) Duckart utilized gambling funds he received from players, agents and runners,
24 representing the proceeds of gambling losses of his players, to pay for expenses of the
25 business, including

26 (1) weekly player fees paid to one or more entities in Costa Rica who operated the
27 "call center" in Costa Rica; and
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INDICTMENT

1 (2) the salaries of persons employed by Duckart to work at the call center in Costa
2 Rica.

3 Overt Acts

4 3. In furtherance of the conspiracy and to obtain the objectives thereof, the
5 defendants and co-conspirators committed the following overt acts, among others, in the
6 Northern District of California and elsewhere:

7 (a) Co-conspirator David Duckart, acting as a bookmaker, received wagers and
8 bets from players.

9 (b) Defendant Houshang Pourmohamad, acting as an agent, received currency
10 from his players and either delivered the currency directly to Duckart or delivered this
11 currency to one or more runners, with the expectation and understanding that these funds
12 would be delivered to Duckart.

13 (c) Defendant Richard Anderson, aka Alex, was hired by Duckart to work on the
14 business in Costa Rica, and Anderson received compensation from Duckart for doing so,
15 in the form of cash deposited to a bank account at Bank of America in the United States,
16 and funds wired to Costa Rica for his benefit.

17 (d) Defendant Darwin Mobley was hired by Duckart to work on the business in
18 Costa Rica, and he received compensation from Duckart for doing so, with funds sent by
19 wire transfer from the United States to a bank in Costa Rica for his benefit.

20 (e) Defendant Jorge Esteban Hall Zumbado was hired by Duckart to work on the
21 business in Costa Rica, and he received compensation from Duckart for doing so, with
22 funds sent by wire transfer from the United States to a bank account in Costa Rica for his
23 benefit.

24 (f) Duckart paid a fee for each player participating in his gambling business, to
25 one or more entities in Costa Rica, with funds sent by wire transfer from the United States
26 to one or more bank accounts in Costa Rica.

27 All in violation of Title 18, United States Code, Section 371.

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INDICTMENT

1 COUNT TWO: 18 U.S.C. §§ 1955, 2

2 Beginning on a date unknown, but no later than in or about September 2002 and
3 continuing until June 2006, in the Northern District of California, defendants

4 RICHARD ANDERSON, aka Alex,
5 DARWIN MOBLEY,
6 JORGE ESTEBAN HALL ZUMBADO,
7 HOUSHANG POURMOHAMAD, aka "Hoosh,"

8 did knowingly conduct, finance, manage, and supervise an illegal gambling business, as
9 defined by 18 U.S.C. § 1955(b), and did aid and abet in the same, in violation of Title 18,
10 United States Code, Sections 1955 and 2.

11 COUNT THREE: 18 U.S.C. § 1956(h)

12 1. Beginning on a date unknown, but no later than in or about September 2002
13 and continuing until June 2006, in the Northern District of California and elsewhere,
14 defendants

15 RICHARD ANDERSON, aka Alex
16 DARWIN MOBLEY,
17 JORGE ESTEBAN HALL ZUMBADO,
18 HOUSHANG POURMOHAMAD, aka "Hoosh,"

19 and others, knowing that the property involved in financial transactions represented the
20 proceeds of some form of unlawful activity; namely, the proceeds of an illegal gambling
21 business, did knowingly conspire with David Lee Duckart ("Duckart") to conduct such
22 financial transactions which in fact involved the proceeds of such specified unlawful
23 activity:

24 (a) with the intent to promote the carrying on of such illegal gambling business, in
25 violation of 18 U.S.C. § 1956(a)(1)(A)(i);

26 (b) knowing that the transactions were designed, in whole or in part, to conceal
27 and disguise the nature, source, ownership, and control of the proceeds of such illegal
28 gambling business, in violation of 18 U.S.C. § 1956(a)(1)(B)(i); and

(c) to transmit and transfer funds from a place in the United States to a place
outside the United States, namely Costa Rica, with the intent to promote the carrying on

INDICTMENT

1 of such illegal gambling business, in violation of 18 U.S.C. §§ 1956(a)(2)(A).

2 2. In furtherance of the conspiracy and to obtain the objectives thereof, the
3 defendants and co-conspirators committed the following overt acts, among others, in the
4 Northern District of California and elsewhere:

5 (a) Defendant Houshang Pourmohamed and other agents in the illegal gambling
6 business headed by bookmaker David Duckart, as well as the players assigned to each
7 such agent, were assigned a code, such as "D6464" for defendant Pourmohamad,
8 designed and intended to conceal the source of wagers and bets; the source of currency
9 delivered by players to agents, agents to runners, and runners to Duckart; and the identity
10 of participants in this gambling business.

11 (b) At regular intervals, co-conspirator agents communicated on behalf of their
12 players by telephone with one or more persons in Costa Rica, knowing that the illegal
13 gambling business involved, in part, services rendered to and for the business by such
14 persons and one or more entities in Costa Rica.

15 (c) At regular intervals, generally weekly, defendant Houshang Pourmohamad
16 and other agents delivered, or caused to be delivered, currency and checks to Duckart,
17 which represented payment of gambling losses of players.

18 (d) Thereafter, this currency and checks were used by Duckart in part to pay
19 commissions to himself and the agents based on a percentage of players' losses, and to
20 pay expenses of the business by means of financial transactions that included cash
21 deposits by Duckart to a bank account in the United States, and thereafter wire transfers
22 of funds from this account to one or more bank accounts in Costa Rica to pay for player
23 fees, salaries of employees of the business, and other expenses.

24 (e) Between the period February 1, 2005 and August 8, 2005, Duckart caused the
25 aggregate amount of approximately \$82,650 to be transmitted and transferred in wire
26 transfers from an account in the United States to Costa Rica, designating "Siroco Suave,
27 S.A." as the beneficiary, in payment of expenses of the business.

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INDICTMENT

1 (f) Between the period September 19, 2005 and March 27, 2006, Duckart caused
2 the aggregate amount of approximately \$122,300 to be transmitted and transferred in wire
3 transfers sent from an account in the United States to Costa Rica, designating
4 "Whitestrav WS Investments S.A." as the beneficiary, in payment of expenses of the
5 business.

6 (g) Between the period May 2005 and March 2006, Duckart caused the aggregate
7 amount of approximately \$37,040 to be transmitted and transferred in wire transfers from
8 an account in the United States to Costa Rica, designating defendant Darwin Mobley as
9 the beneficiary, to pay the salary of said defendant.

10 (h) Between the period January 2006 and March 2006, Duckart caused the
11 aggregate amount of approximately \$10,960 to be transmitted and transferred in wire
12 transfers from an account in the United States to Costa Rica, designating defendant Jorge
13 Esteban Hall Zumbado as the beneficiary, to pay the salary of said defendant.

14 All in violation of Title 18, United States Code, Section 1956(h).

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16 COUNT FOUR: 18 U.S.C. § 371

17 1. Beginning on a date unknown, but no later than in or about September 2002
18 and continuing until June 2006, in the Northern District of California and elsewhere,
19 defendants

20 RICHARD ANDERSON, aka Alex,
21 DARWIN MOBLEY,
JORGE ESTEBAN HALL ZUMBADO,
HOUSHANG POURMOHAMAD, aka "Hoosh,"

22 and others, did knowingly conspire with David Lee Duckart to use facilities in interstate
23 and foreign commerce, namely, telephone communication to and from the United States
24 and Costa Rica, e-mail from the United States to Costa Rica, and the Internet website
25 "hettheduck," with the intent to promote, manage, establish, carry on, and facilitate the
26 promotion, management, establishment, and carrying on of unlawful activity within the

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INDICTMENT

1 meaning of 18 U.S.C. § 1952(b), namely, gambling activity by a business enterprise, in
2 violation of 18 U.S.C. § 1952.

3 2. In furtherance of the conspiracy and to obtain the objectives thereof, the
4 defendants and co-conspirators committed the following overt acts, among others, in the
5 Northern District of California and elsewhere:

6 (a) Co-conspirator agents and co-conspirator bookmaker Duckart utilized the
7 Internet website "www.bettheduck.com" to manage and carry on the business, by posting
8 compilations and reports, including lists of players and their agents by their individual
9 codes; total wagers by agent; gambling limits by player; agent commissions; and net
10 weekly winnings and losses by player.

11 (b) Co-conspirator agents utilized a toll-free telephone number to communicate
12 from the Northern District of California to Costa Rica.

13 (c) Between the period December 2004 and May 2006, defendant Darwin
14 Mobley utilized e-mail (from accounts DarwinMobley@hotmail.com, and
15 DarwinMobley@yahoo.com) to communicate with Duckart from Costa Rica to the
16 United States.

17 (d) Between the period September 2002 and June 2006, defendant Jorge Esteban
18 Hall Zumbado utilized e-mail (from account Hallgeo@yahoo.com) to communicate with
19 Duckart from Costa Rica to the United States.

20 All in violation of Title 18, United States Code, Section 371.

21
22 COUNT FIVE: 18 U.S.C. § 1952

23 On or about December 11, 2004, in the Northern District of California and
24 elsewhere, defendant

25 **DARWIN MOBLEY**

26 did use a facility in interstate and foreign commerce, namely, e-mail (from account
27 DarwinMobley@hotmail.com) communication from Costa Rica to the Northern District
28 of California, to promote, manage, establish, carry on, and facilitate the promotion,

INDICTMENT

1 management, establishment, and carrying on of unlawful activity within the meaning of
2 18 U.S.C. § 1952(b), namely, gambling activity by a business enterprise, and thereby
3 performed an act described in 18 U.S.C. § 1952(a)(3), all in violation of Title 18, United
4 States Code, Section 1952.

5
6 COUNT SIX: 18 U.S.C. § 1952

7 On or about April 14, 2005, in the Northern District of California and elsewhere,
8 defendant

9 DARWIN MOBLEY

10 did use a facility in interstate and foreign commerce, namely, e-mail (from account
11 DarwinMobley@yahoo.com) communication from Costa Rica to the Northern District of
12 California, to promote, manage, establish, carry on, and facilitate the promotion,
13 management, establishment, and carrying on of unlawful activity within the meaning of
14 18 U.S.C. § 1952(b), namely, gambling activity by a business enterprise, and thereby
15 performed an act described in 18 U.S.C. § 1952(a)(3), all in violation of Title 18, United
16 States Code, Section 1952.

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18 COUNT SEVEN: 18 U.S.C. § 1952

19 On or about March 8, 2006, in the Northern District of California and elsewhere,
20 defendant

21 DARWIN MOBLEY

22 did use a facility in interstate and foreign commerce, namely, e-mail (from account
23 DarwinMobley@yahoo.com) communication from Costa Rica to the Northern District of
24 California, to promote, manage, establish, carry on, and facilitate the promotion,
25 management, establishment, and carrying on of unlawful activity within the meaning of
26 18 U.S.C. § 1952(b), namely, gambling activity by a business enterprise, and thereby
27 performed an act described in 18 U.S.C. § 1952(a)(3), all in violation of Title 18, United
28 States Code, Section 1952.

INDICTMENT

1 COUNT EIGHT: 18 U.S.C. § 1952

2 . On or about April 27, 2006, in the Northern District of California and elsewhere,
3 defendant

4 DARWIN MOBLEY

5 did use a facility in interstate and foreign commerce, namely, e-mail (from account
6 DarwinMobley@yahoo.com) communication from Costa Rica to the Northern District of
7 California, to promote, manage, establish, carry on, and facilitate the promotion,
8 management, establishment, and carrying on of unlawful activity within the meaning of
9 18 U.S.C. § 1952(b), namely, gambling activity by a business enterprise, and thereby
10 performed an act described in 18 U.S.C. § 1952(a)(3), all in violation of Title 18, United
11 States Code, Section 1952.

12
13 COUNT NINE: 18 U.S.C. § 1952

14 . On or about September 15, 2002, in the Northern District of California and
15 elsewhere, defendant

16 JORGE HALL ESTEBAN ZUMBADO

17 did use a facility in interstate and foreign commerce, namely, e-mail (from account
18 Hallgeo@yahoo.com) communication from Costa Rica to the Northern District of
19 California, to promote, manage, establish, carry on, and facilitate the promotion,
20 management, establishment, and carrying on of unlawful activity within the meaning of
21 18 U.S.C. § 1952(b), namely, gambling activity by a business enterprise, and thereby
22 performed an act described in 18 U.S.C. § 1952(a)(3), all in violation of Title 18, United
23 States Code, Section 1952.

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INDICTMENT

1 COUNT TEN: 18 U.S.C. § 1952

2 On or about January 3, 2006, in the Northern District of California and elsewhere,
3 defendant

4 JORGE HALL ESTEBAN ZUMBADO

5 did use a facility in interstate and foreign commerce, namely, e-mail (from account
6 Hallgeo@yahoo.com) communication from Costa Rica to the Northern District of
7 California, to promote, manage, establish, carry on, and facilitate the promotion,
8 management, establishment, and carrying on of unlawful activity within the meaning of
9 18 U.S.C. § 1952(b), namely, gambling activity by a business enterprise, and thereby
10 performed an act described in 18 U.S.C. § 1952(a)(3), all in violation of Title 18, United
11 States Code, Section 1952.

12
13 COUNT ELEVEN: 18 U.S.C. § 1952

14 On or about May 14, 2006, in the Northern District of California and elsewhere,
15 defendant

16 JORGE HALL ESTEBAN ZUMBADO

17 did use a facility in interstate and foreign commerce, namely, e-mail (from account
18 Hallgeo@yahoo.com) communication from Costa Rica to the Northern District of
19 California, to promote, manage, establish, carry on, and facilitate the promotion,
20 management, establishment, and carrying on of unlawful activity within the meaning of
21 18 U.S.C. § 1952(b), namely, gambling activity by a business enterprise, and thereby
22 performed an act described in 18 U.S.C. § 1952(a)(3), all in violation of Title 18, United
23 States Code, Section 1952.

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INDICTMENT

1 COUNT TWELVE: 18 U.S.C. § 1952

2 On or about June 7, 2006, in the Northern District of California and elsewhere,
3 defendant

4 JORGE HALL ESTEBAN ZUMBADO

5 did use a facility in interstate and foreign commerce, namely, e-mail (from account
6 Hallgeo@yahoo.com) communication from Costa Rica to the Northern District of
7 California, to promote, manage, establish, carry on, and facilitate the promotion,
8 management, establishment, and carrying on of unlawful activity within the meaning of
9 18 U.S.C. § 1952(b), namely, gambling activity by a business enterprise, and thereby
10 performed an act described in 18 U.S.C. § 1952(a)(3), all in violation of Title 18, United
11 States Code, Section 1952.

12 A TRUE BILL.

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15 Dated: _____

16 FOREPERSON _____
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20 KEVIN V. RYAN
21 United States Attorney

22 W. DOUGLAS SPINAGUE
23 Chief, Oakland Branch Office

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25 (Approved as to form: gem
26 AUSA GLBEVANJR
27
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INDICTMENT

PENALTY SHEET ATTACHMENT

**Count 1 – Conspiracy to conduct illegal gambling business,
18 U.S.C. § 371**

**Richard Anderson
Darwin Mobley
Jorge Esteban Hall Zumbado
Houshang Pourmohamad**

**5 years in prison, \$250,000 fine, 3 years supervised release, and \$100 special
assessment.**

Count 2 – Conducting illegal gambling business, 18 U.S.C. §§ 1955, 2

**Richard Anderson
Darwin Mobley
Jorge Esteban Hall Zumbado
Houshang Pourmohamad**

**5 years in prison, \$250,000 fine, 3 years supervised release, and \$100 special
assessment.**

**Count 3 – Conspiracy to launder funds derived from illegal gambling business,
18 U.S.C. § 1956(h)**

**Richard Anderson
Darwin Mobley
Jorge Esteban Hall Zumbado
Houshang Pourmohamad**

**20 years in prison, \$500,000 fine, 5 years supervised release, and \$100 special
assessment.**

Count 4 – Conspiracy to use facility in interstate commerce to promote and carry on unlawful gambling business, 18 U.S.C. § 371

**Richard Anderson
Darwin Mobley
Jorge Esteban Hall Zumbado
Houshang Pourmohamad**

5 years in prison, \$250,000 fine, 3 years supervised release, and \$100 special assessment.

Counts 5 – 8 – Use of facility in interstate commerce to promote and carry on unlawful gambling business, 18 U.S.C. § 1952

Darwin Mobley

5 years in prison, \$250,000 fine, 3 years supervised release, and \$100 special assessment.

Counts 9 – 12 – Use of facility in interstate commerce to promote and carry on unlawful gambling business, 18 U.S.C. § 1952

Jorge Esteban Hall Zumbado

5 years in prison, \$250,000 fine, 3 years supervised release, and \$100 special assessment.